

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TERENCE HOLLOWAY,)
)
Plaintiff,)
)
vs.) Case No. 4:06CV1235 CDP
)
CORRECTIONAL MEDICAL)
SERVICES, et al.,)
)
Defendants.)

ORDER

Plaintiff was granted leave to proceed in forma pauperis on November 8, 2006. Plaintiff's appointed counsel recently advised the Court that plaintiff failed to disclose certain assets in his original IFP filing. Plaintiff has now filed a motion to withdraw his in forma pauperis affidavit and for leave to file an amended affidavit. Defendants oppose plaintiff's motion, and ask that plaintiff's IFP status be revoked.

Having reviewed the items submitted by the plaintiff, together with the parties' briefs, I will grant plaintiff's motion to file a new affidavit. Because plaintiff continues to qualify for appointment of counsel, his appointed counsel status will not be changed. However, the items submitted by the plaintiff demonstrate that he has the means to pay the usual \$350 fee for filing his case. I

will therefore order plaintiff to pay the \$350 filing fee before his case progresses any further.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion [#67] to withdraw his in forma pauperis affidavit and to file an amended affidavit is GRANTED.

IT IS FURTHER ORDERED that plaintiff will remit to the Court the \$350 filing fee for filing his case no later than Friday, May 23, 2008. This case will not proceed (and no amended Case Management Order will issue) until the filing fee has been paid.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of April, 2008.